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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

DIANE ROARK,

Case No.: 6:12-CV-01354-MC

Plaintiff,

DEFENDANT'S STATUS REPORT

v.

UNITED STATES OF AMERICA,

Defendant.

Defendant the United States of America, by Billy J. Williams, United States Attorney for the District of Oregon, and through James E. Cox, Jr., Assistant United States Attorney for the District of Oregon, submits this status report in advance of the status conference scheduled for April 4, 2016.

This is a return of property case under Federal Rule of Criminal Procedure 41(g) in which the Court has adopted the government's plan to return to Plaintiff the non-classified and non-protected electronically stored information contained on a computer hard drive that the government obtained during a 2007 search and seizure. (ECF No. 126.) The government has completed the electronic word searches on the computer hard drive using the National Security Agency ("NSA") and House Permanent Select Committee on Intelligence ("HPSCI") keyword search terms. On March 7, 2016, the government returned 24,808 unique files to Plaintiff which did not require manual review after completion of the electronic keyword searches.

On March 25, 2016, the NSA completed its manual review of 3,538 unique files that contained one or more NSA search terms. Of those files, 3,261 were determined to contain protected and/or classified NSA information. Of the remaining 277 unique files that contained NSA search terms but were not found to contain any protected and/or classified NSA information, 133 will be returned to Ms. Roark while the remaining 144 files must be reviewed by the HPSCI because those files also contained terms from the HPSCI keyword list.

There remain 7,655 unique files that contain one or more HPSCI search terms that will require manual review by the HPSCI. It is anticipated that the NSA will provide those files for HPSCI review by April 6, 2016. (The

manual reviews conducted by the NSA and the HPSCI were not performed concurrently because all of the files are stored on the same classified laptop computer. In addition, a staggered review minimized the number of files that the HPSCI was required to review because HPSCI will not need to review any files that contained both HPSCI and NSA search terms and that the NSA has already determined contained classified and/or protected information.) The HPSCI estimates that it may take about a month to complete its review of those files.

DATED this 1st day of April 2016.

Respectfully submitted,

BILLY J. WILLIAMS
United States Attorney
District of Oregon

/s/ James E. Cox, Jr.
JAMES E. COX, JR.
Assistant United States Attorney
Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Defendant's Status Report** was placed in a postage prepaid envelope and deposited in the United States Mail at Portland, Oregon on April 1, 2016, addressed to:

Diane Roark
2000 N. Scenic View Dr.
Stayton, OR 97383

And was sent via email to the following email address:

gardenofeden@wvi.com

/s/ James E. Cox, Jr.
JAMES E. COX, JR.

CERTIFICATE OF SERVICE